

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

DANIELLE SEAMAN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

DUKE UNIVERSITY; DUKE
UNIVERSITY HEALTH SYSTEM,
WILLIAM L. ROPER, AND
DOES 1-20,

Defendants.

Case No. 1:15-CV-00462

**MOTION FOR: (1) CERTIFICATION
OF SETTLEMENT CLASS;
(2) PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT;
(3) LEAVE TO AMEND; AND
(4) SETTING OF SCHEDULE FOR
FINAL APPROVAL**

Fed. R. Civ. P. 15, 23

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiff Dr. Danielle Seaman hereby moves
the Court, pursuant to Rules 15 and 23 of the Federal Rules of Civil Procedure, for an
order as follows:

1. Granting Dr. Seaman leave to file the proposed Second Amended
Complaint, attached as Exhibit A to the Settlement Agreement;
2. Certifying the following proposed Settlement Class:

all natural persons employed by Duke University, Duke University
Health System, Inc., the University of North Carolina at Chapel
Hill (including the University of North Carolina School of

Medicine), and the University of North Carolina Health Care System and in the United States from January 1, 2012 through to August 21, 2017 (the “Settlement Class Period”). Excluded from the Class are: members of the boards of directors and boards of trustees, boards of governors, and senior administrators of Defendants and their co-conspirators who entered into the alleged agreements, any Defendant’s or Settling Defendant’s legal representatives in connection with this action (including any person affiliated with any law firm representing any Defendant or Settling Defendant in connection with this action), and any and all judges and justices, and chambers’ staff, assigned to hear or adjudicate any aspect of this litigation.

3. Preliminarily approving the Settlement;
4. Appointing Lieff, Cabraser, Heimann & Bernstein, LLP, and Elliot Morgan Parsonage, P.A., as Settlement Class Counsel;
5. Appointing Plaintiff Dr. Danielle Seaman as Settlement Class Representative; and
6. Approving the proposed notice and setting a schedule for final approval.

This motion is based on the accompanying memorandum of points and authorities; the Declarations of Dr. Danielle Seaman, Dean M. Harvey, and Robert M. Elliot; all exhibits to such documents; the pleadings and other documents on file in this consolidated action; and any argument that may be presented to the Court.

This the 25th day of August, 2017.

/s/ Robert M. Elliot

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/s/ Dean M. Harvey

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*admitted pursuant to LR 83.1(d)

Counsel for Plaintiff Dr. Seaman and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

This the 25th day of August, 2017.

/s/ Dean M. Harvey

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